INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known Application Number 10/804,761 Filing Date March 19, 2004 First Named Inventor Hochschuler et al. Art Unit 3775 Examiner Name Michael J. Araj

3110.22US02 1 of 20 Attorney Docket Number Sheet U.S. PATENT DOCUMENTS EXAMINER Cite Publication Date Name of Patentee or Applicant INITIAL No. Document Number MM-DD-YYYY of Cited Document Number-Kind Code² (if known) US-16.151 12-02-1856 Cole US-376,477 01-17-1888 Harcourt US-817,042 04-03-1906 Burns US-1.079.630 11-25-1913 Baum US- 1 409 825 03-14-1922 Brush US-2,077,804 04-20-1937 Morrison US- 2,677,369 05-04-1954 Knowles US- 2.984.241 05-16-1961 Carlson US-3,426,364 02-11-1969 Lumb US- 3.554.192 01-12-1971 Isberner US-3.628.524 12-21-1971 Jamshidi 12-28-1971 Fishbein US- 3.630.204 US-3,633,583 01-11-1972 Fishbein US-3,702,611 11-14-1972 Fishbein US-3,902,498 09-02-1975 Niederer US-4,011,602 03-15-1977 Rybicki et al. US- 4,013,071 03-22-1977 Rosenberg

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31		many sheets as necessary			Inventor	Hochschuler et	aı.	
				Art Unit		3775		
				Examiner N	ame	Michael J. Araj	i	
Sheet	2	of	20	Attorney Do	cket Number	3110.22US02		
			U.S. PATEN	NT DOCUI	MENTS			
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Sheet 4 of 20 Attorney Docket Number 3110.22US02

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Application Number	10/804,761			
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First Named Inventor	Hochschuler et al.			
Art Unit	3775			
Examiner Name	Michael J. Araj			

| Sheet | 5 | of | 20 | Attorney Docket Number | 3110.22US02 | U.S. PATENT DOCUMENTS

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Application Number	10/804,761	
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First Named Inventor	Hochschuler et al.	
Art Unit	3775	
Examiner Name	Michael J. Araj	
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Attorney Docket Number	3110.22US02	

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10/804,761								
March 19, 2004								
Hochschuler et al.								
3775								
Michael J. Araj								

Attorney Docket Number 3110.22US02 Sheet 9 of 20 U.S. PATENT DOCUMENTS EXAMINER Cite Publication Date Name of Patentee or Applicant INITIAL. No 1 Document Number MM-DD-YYYY of Cited Document Number-Kind Code^{2 (if known)} US- 6.423.083 B2 07-23-2002 Reiley et al. US- 6,425,923 B1 07-30-2002 Stalcup et al. US- 6,436,143 B1 08-20-2002 Ross et al. Zucherman et al. 09-17-2002 US- 6,451,020 B1 Zucherman et al. US- 6.478,796 B2 11-12-2002 11-19-2002 Aebi et al. US- 6,482,233 B1 US- 6,482,234 B1 11-19-2002 Weber et al. US- 6,500,178 B2 12-31-2002 Zucherman et al. US- 6,500,205 B1 12-31-2002 Michelson US- 6,514,256 B2 02-04-2003 Zucherman et al. US- 6.540.747 B1 04-01-2003 Marino 05-06-2003 Cragg US- 6,558,386 B1 US- 6,558,390 B2 05-06-2003 Cragg US- 6,565,606 B1 05-20-2003 Bruce et al. US- 6.575.978 B2 06-10-2003 Peterson et al. US- 6,575,979 B1 06-10-2003 Cragg US- 6.582,446 B1 06-24-2003 Marchosky US- 6,589,199 B1 07-08-2003 McCrory et al. US-6,595,995 B2 07-22-2003 Zdeblick et al.

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Application Number	10/804,761
Filing Date	March 19, 2004
First Named Inventor	Hochschuler et al.
Art Unit	3775
Examiner Name	Michael J. Araj

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Sheet	10		of	20	A	ttorney Docket Number	311	0.22US02	
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		Country Code ³ Number ⁴ Kind Code ⁵ (if known)		of Cited Document	

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Substitute for form 1449/PTO Complete if Known Application Number 10/804,761 INFORMATION DISCLOSURE March 19, 2004 Filing Date STATEMENT BY APPLICANT First Named Inventor Hochschuler et al. (Use as many sheets as necessary) Art Unit 3775 Examiner Name Michael J. Arai Attorney Docket Number 3110 22US02 of 20 Sheet 14 U.S. PATENT DOCUMENTS EXAMINER Publication Date Name of Patentee or Applicant Cite INITIAL. No. Document Number MM-DD-YYYY of Cited Document Number-Kind Code2 (if known) US-7.087.082 B2 08-08-2006 Paul et al. US- 7.087.084 B2 08-08-2006 Reilev 08-08-2006 Boyer, II et al. US- 7.087.087 B2 US-7,094,258 B2 08-22-2006 Lambrecht et al. 09-05-2006 Zucherman et al. US-7.101.375 B2 US -7,114,501 B2 10-03-2006 Johnson et al. 10-10-2006 Michelson US-7.118.598 B2 US-7,124,761 B2 10-24-2006 Lambrecht et al. US- 7.147.665 B1 12-12-2006 Bryan et al. Scribner et al. US-7,153,307 B2 12-26-2006 01-02-2007 Lotz et al. US-7.156,877 B2 02-20-2007 Bryan et al. US-7,179,262 B2 03-13-2007 Zucherman et al. US-7.189,234 B2 US- 7.189.235 B2 03-13-2007 Cauthen Lambrecht et al. US-7.198.047 B2 04-03-2007 Zucherman et al. US-7,201,751 B2 04-10-2007 04-17-2007 Trieu et al. US- 7.204.851 B2 FOREIGN PATENT DOCUMENTS Publication Date EXAMINER Cite Foreign Patent Document T٥ INITIAL. No 1 MM-DD-YYYY Name of Patentee or Applicant Country Code3 Number4Kind Code5 of Cited Document (if known)

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Complete if Known Substitute for form 1449/PTO Application Number 10/804,761 INFORMATION DISCLOSURE March 19, 2004 Filing Date STATEMENT BY APPLICANT First Named Inventor Hochschuler et al. (Use as many sheets as necessary) Art Unit 3775 Examiner Name Michael J. Arai 3110 2211502 Attorney Docket Number Sheet 15 of 20 U.S. PATENT DOCUMENTS EXAMINER Cite Publication Date Name of Patentee or Applicant INITIAL. No.1 Document Number MM-DD-YYYY of Cited Document Number-Kind Code^{2 (If known)} US-7,220,281 B2 05-22-2007 Lambrecht et al. US- 7,226,481 B2 06-05-2007 Kuslich US-7,234,468 B2 06-26-2007 Johnson et al. US- 7,258,692 B2 08-21-2007 Thelen et al. US- 7.258,700 B2 08-21-2007 Lambrecht et al. 09-18-2007 US-7.270.658 B2 Woloszko et al. US-7.273,497 B2 09-25-2007 Ferree US-7.300,440 B2 11-27-2007 Zdeblick et al. US- 7.300,465 B2 11-27-2007 Paul et al. US- 7,309,338 B2 12-18-2007 Cragg US-7,318,823 B2 01-15-2008 Sharps et al. 02-19-2008 Hoyda et al. US-7.331.956 B2 US- 7,338,526 B2 03-04-2008 Steinberg US- 7,357,798 B2 04-15-2008 Sharps et al. Hoyda et al. US- 7.387.625 B2 06-17-2008 07-01-2008 Woloszko et al. US- 7.393.351 B2 US-7,427,284 B2 09-23-2008 Seedhom et al. FOREIGN PATENT DOCUMENTS Foreign Patent Document Publication Date EXAMINER Cite T⁶ MM-DD-YYYY Name of Patentee or Applicant INITIAL No. of Cited Document Country Code3 Number4Kind Code5 (if known)

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				Ex	aminer Name	Mic	hael J. Araj		
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Sheet	17	of	20	A	ttorney Docket Number	311	0.22US02
			U.S. PATI	ENT	DOCUMENTS		-
EXAMINER INITIAL*	Cite No.1	Docume	nt Number		Publication Date MM-DD-YYYY		Name of Patentee or Applicant of Cited Document
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		Country Code ³ Number ⁴ Kind Code ⁵ (if known)		of Cited Document	

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Applicant's unique citation designation number (optional). See Kinds Codes of USFTO Pietro Documents at www uspto gov or MPEP 90, 104. Enter Office that issued the document by the row-letter code (MPO Standard ST3.). For Japanese parten documents, this indication of the year of the reign of the Emporer must proceed and number of the partent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. "Applicant is to place a check mark here if English Inanuage Timasthion is attached."

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				E>	aminer Name	Mic	hael J. Araj		
Sheet	18	of	20	Αı	Attorney Docket Number 3110.22US02		0.22US02		
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STATEMENT BY APPLICANT

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Application Number	10/804,761				
Filing Date	March 19, 2004				
First Named Inventor	Hochschuler et al.				
Art Unit	3775				
Examiner Name	Michael J. Araj				
Attorney Docket Number	3110.22US02				

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Complete if Known Application Number 10/804,761 March 19, 2004 Filing Date First Named Inventor Hochschuler et al. Art Unit 3775 Michael J. Arai

Evaminer Name Attorney Docket Number 3110.22US02 Sheet 20 of 20 NON PATENT LITERATURE DOCUMENTS Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the EXAMINER INITIAL' No.1 item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published Application and File History for U.S. Patent Application No. 09/827,202 (now U.S. Patent No. 6,575,978), filed April 5, 2001, Inventors Peterson et al., as available on PAIR at www.uspto.gov. Application and File History for U.S. Patent Application No. 12/503,663, filed July 15, 2009. Inventors Kuslich, as available on PAIR at www.uspto.gov. Application and File History for U.S. Provisional Patent Application No. 60/219,853, filed July 21, 2000. Inventor Kuslich, as available on PAIR at www.uspto.gov. Application and File History for U.S. Provisional Patent Application No. 60/185.323. filed February 28, 2000, Inventor Hochschuler, as available on PAIR at www.uspto.gov. Application and File History for U.S. Provisional Patent Application No. 60/239,217. filed October 10, 2000, Inventor Johnson, as available on PAIR at www.uspto.gov. Application and File History for U.S. Provisional Patent Application No. 60/239,216, filed October 10, 2000, Inventor Johnson, as available on PAIR at www.uspto.gov. Application and File History for U.S. Provisional Patent Application No. 10/440,036 (now U.S. Patent No. 7,226,481), filed May 16, 2003, Inventor Kuslich, as available on PAIR at www.uspto.gov. Application and File History for U.S. Provisional Patent Application No. 11/282,910, filed November 18, 2005, Inventor Kuslich, as available on PAIR at www.uspto.gov. Application and File History for U.S. Provisional Patent Application No. 11/906,755. filed October 3, 2007, Inventor Kuslich, as available on PAIR at www.uspto.gov. Application and File History for U.S. Provisional Patent Application No. 12/624,179, filed November 23, 2009, Inventor Kuslich, as available on PAIR at www.uspto.gov. Application and File History for U.S. Provisional Patent Application No. 60/220,303, filed July 24, 2000, Inventor Hektner, as available on PAIR at www.uspto.gov. Application No. PCT/US01/22837, filed July 20, 2001, Applicant The Spineology Group, LLC, International Search Report dated March 8, 2002, 1 page. Patent Interference No. 105,252, Kuslich et al. v. Hochschuler et al., Documents Dated November 9, 2004 - February 3, 2005. EXAMINER DATE

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